



**STATE OF NEW JERSEY**  
**Board of Public Utilities**  
**Two Gateway Center**  
**Newark, NJ 07102**  
**[www.nj.gov/bpu/](http://www.nj.gov/bpu/)**

CUSTOMER ASSISTANCE

CARYN B. GILBERT,	)	ORDER ADOPTING INITIAL DECISION
Petitioner,	)	SETTLEMENT
v.	)	
	)	
PUBLIC SERVICE ELECTRIC AND GAS	)	
COMPANY,	)	BPU DOCKET NO. GC08110963U
Respondent	)	OAL DOCKET NO. PUC 1517-09

(SERVICE LIST ATTACHED)

BY THE BOARD:

On November 5, 2008, Caryn B. Gilbert ("Petitioner") filed a petition with the Board of Public Utilities ("Board") requesting a formal hearing related to a billing dispute with Public Service Electric and Gas Company ("Respondent") disputing a bill for utility service provided by Respondent.

After the filing of Respondent's answer, the Board transmitted this matter to the Office of Administrative Law ("OAL") for hearing and initial disposition as a contested case pursuant to N.J.S.A. 52:14B-1 et seq. and N.J.S.A. 52:14F-1 et seq. This matter was assigned to Administrative Law Judge ("ALJ") Irene Jones.

While this matter was pending at OAL, the parties engaged in negotiations and entered into and signed a Stipulation of Settlement ("Settlement") that was submitted to the ALJ. By Initial Decision issued on August 20, 2009 and submitted to the Board on August 26, 2009, to which the Settlement was attached and made part of, ALJ Jones found that the Settlement was voluntary and that its terms fully disposed of all issues in controversy. Pursuant to the terms of the Settlement, Respondent will credit Petitioner's account in the amount of \$4,943.43, which will leave an outstanding unpaid balance of \$1,800 to be paid in 18 supplemental payments of \$100.00 in addition to monthly utility bills commencing with Petitioner's September 2009 bill. Respondent further agreed to appropriately investigate any and all future allegations of diversion of service pursuant to the Board's rules. In return, Petitioner has agreed to pay all

current utility bills rendered by Respondent in a timely fashion and that if she does not keep the agreement regarding the deferred payment arrangement, Respondent may exercise its authority in accordance with its tariff and the provisions of N.J.A.C. 14:3-3A.1 et seq.

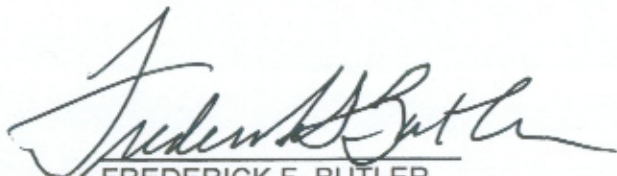
After review and consideration of the Initial Decision and the Stipulation of Settlement, the Board HEREBY FINDS that, by the terms of the Stipulation of Settlement, the parties have resolved all outstanding contested issues in this matter. Accordingly, the Board HEREBY ADOPTS the Initial Decision and the Stipulation of Settlement execute by the parties in their entirety as if fully set forth herein.

DATED: 9/16/09

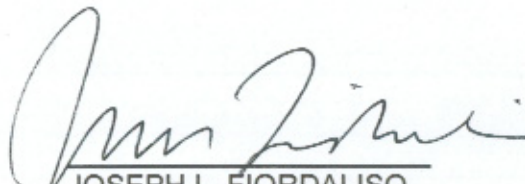
BOARD OF PUBLIC UTILITIES  
BY:



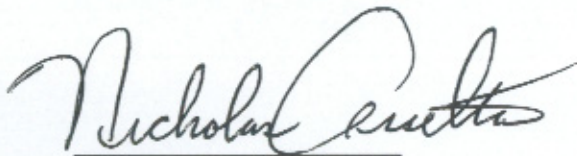
JEANNE M. FOX  
PRESIDENT



FREDERICK F. BUTLER  
COMMISSIONER



JOSEPH L. FIORDALISO  
COMMISSIONER

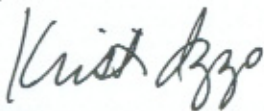


NICHOLAS ASSELTA  
COMMISSIONER



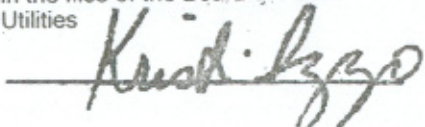
ELIZABETH RANDALL  
COMMISSIONER

ATTEST:



KRISTI IZZO  
SECRETARY

I HEREBY CERTIFY that the within document is a true copy of the original in the files of the Board of Public Utilities



**CARYN B. GILBERT**

**v.**

**PUBLIC SERVICE ELECTRIC AND GAS COMPANY**

**BPU DOCKET NO. GC08110963U**

**OAL DOCKET NO. PUC 1517-09**

**SERVICE LIST**

Caryn B. Gilbert  
457A Bagley Place  
Cliffside Park, New Jersey 07010

Alexander C. Stern, Esq.  
PSEG Services Corporation  
80 Park Plaza – T5G  
Newark, New Jersey 07102-4194

Eric Hartsfield, Director  
Julie Ford-Williams  
Division of Customer Assistance  
Board of Public Utilities  
Two Gateway Center  
Newark, New Jersey 07102

Jessica L. Campbell, DAG  
Division of Law  
124 Halsey Street  
P.O. Box 45029  
Newark, New Jersey 07101



State of New Jersey  
OFFICE OF ADMINISTRATIVE LAW

CNS  
BESLOW  
D/OG  
JPA  
GAS  
CUST ASST (2)

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 1517-09

AGENCY DKT. NO. GC08110963U

**CARYN B. GILBERT**

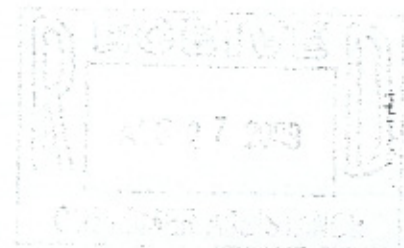
Petitioner,

v.

**PUBLIC SERVICE ELECTRIC AND**

**GAS COMPANY,**

Respondent.



**Caryn B. Gilbert**, petitioner, pro se

**Alexander C. Stern**, Esq., Assistant General Counsel, for respondent,  
(Public Service Electric & Gas Services Corporation, attorneys)

Record Closed: July 30, 2009

Decided: August 20, 2009

**BEFORE IRENE JONES, ALJ:**

On January 28, 2009, this matter was transmitted to the Office of Administrative Law (OAL) for hearing as a contested case pursuant to N.J.S.A. 52:14B-1 to -15 and N.J.S.A. 52:14F1 to -13.

A hearing date was scheduled for July 17, 2009 but adjourned because the parties agreed to settle the matter. The Stipulation of Settlement indicating the terms of settlement was signed by the parties and is attached hereto.

I have reviewed the record and the terms of the Stipulation of Settlement and I **FIND.**

The parties have voluntarily agreed to the settlement as evidenced by the signatures of the parties or their representatives.

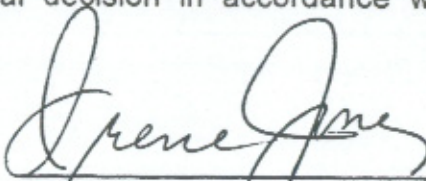
2. The settlement fully disposes of all issues in controversy and is consistent with law.

Therefore, it is **ORDERED** that the parties comply with the settlement terms and that these proceedings be and are hereby concluded.


I hereby **FILE** my initial decision with the **BOARD OF PUBLIC UTILITIES** for consideration.

This recommended decision may be adopted, modified or rejected by the **BOARD OF PUBLIC UTILITIES**, which by law is authorized to make a final decision in this matter. If the Board of Public Utilities does not adopt, modify or reject this decision within forty-five (45) days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

8/20/09  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
IRENE JONES, ALJ

Date Received at Agency: 8/26/09

  
\_\_\_\_\_

Date Mailed to Parties:

sej

STATE OF NEW JERSEY  
OFFICE OF ADMINISTRATIVE LAW

RECEIVED  
STATE OF N.J.  
OFFICE OF ADMINISTRATIVE LAW

2009 JUL 30 P 10: 59

Caryn B. Gilbert

Petitioner,

v.

Public Service Electric & Gas Company

Respondent.

)  
) BPU DOCKET NO. GC08110963U  
) OAL DOCKET NO. PUC01517-2009N  
)

) **STIPULATION OF SETTLEMENT**  
)  
)

On or about November 5, 2008, Petitioner filed the above-referenced billing dispute. Public Service Electric & Gas Company ("PSE&G" or "Respondent") filed an answer to Petitioner's petition and the New Jersey Board of Public Utilities ("NJBP" or "Board") transmitted the matter to the Office of Administrative Law ("OAL") as a contested case for adjudication.

In the interests of resolving this matter without further delay, extensive effort and cost, the parties hereto agreed to settle this matter in accordance with the following terms:

1. PSE&G agrees to credit Petitioner's account \$4,943.43.
2. After application of the \$4,943.43 bill credit referenced in paragraph 1, Petitioner acknowledges that there will still be an outstanding overdue balance on the account owed to PSE&G for past electric and gas service rendered by PSE&G in the amount of \$1,800.00.
3. Petitioner agrees to timely pay her PSE&G bills for electric and gas service starting with her PSE&G bill issued July 10, 2009 as well as to enter into the deferred payment arrangement specified in Paragraph 4 below to pay off the \$1,800.00 outstanding balance due at the time of settlement.
4. Petitioner agrees to make eighteen (18) supplemental monthly payments in the amount of \$100.00 per month in addition to monthly utility bills commencing with Petitioner's September 2009 PSE&G utility bill. Petitioner is not foreclosed from paying off the \$1,800.00 outstanding balance due prior to the eighteen (18) month deferred payment period allotted.

5. If Petitioner fails to keep the agreement as set forth in the deferred payment arrangement established in paragraph 4 above, PSE&G may exercise its authority in accordance with its tariff and the provisions of N.J.A.C. 14:3-3A.1 et seq.

6. In addition to payments under the deferred payment arrangement established in paragraph 4, Petitioner agrees and understands that she must make timely payment of PSE&G monthly utility bills for utility service so long as she remains a PSE&G customer.

7. PSE&G agrees to appropriately investigate any and all future allegations of diversion of service in accordance with the regulations set forth in N.J.A.C. 14:3-7.8. Should Petitioner wish an investigation to be performed concerning alleged diversion, Petitioner agrees to complete and return to PSE&G a diversion investigation application provided by PSE&G.

8. This agreement is in settlement of the Petition filed by Petitioner on or about November 5, 2008.

9. The undersigned agree that this Settlement contains mutually balancing and interdependent provisions and is intended to be accepted and approved in its entirety. In the event any particular aspect of this Settlement is not accepted and approved by the Board or modified by the Board, the party that is adversely affected by the modification can either accept the modification or declare this Settlement to be null and void, and the parties shall be placed in the same position that they were in immediately prior to its execution.

PSEG SERVICES CORPORATION  
Attorneys for PSE&G

DATED: 7/27/09

By: Alexander C. Stern  
Alexander C. Stern, Esq.  
Assistant General Regulatory Counsel

PSE&G

DATED: 7/27/09

By: Edward B. Sullivan  
Edward B. Sullivan  
Manager of Customer Operations

DATED:

7/21/09

By: Caryn B. Gilbert  
Caryn B. Gilbert, Petitioner

COPY



State of New Jersey  
OFFICE OF ADMINISTRATIVE LAW  
33 Washington Street  
Newark, New Jersey 07102  
(973) 648-6008  
(973-648-6058)

Robert J. Giordano, ALJ &  
Manager of Organizational Development

COPY

RECEIVED  
MAIL ROOM  
09 AUG 24 PM 3:58  
BOARD OF PUBLIC UTILITIES  
NEWARK, N.J.

2009 AUG 26 AM 9:17  
BOARD OF PUBLIC UTILITIES  
NEWARK, N.J.

NORTH

Date AUG 21 2009

Re: Initial Decisions for Receipt

We are hereby forwarding to you the following decisions from the office of Administrative Law. **Receipt is acknowledged as of the next business day of the date indicated below.** Should a listed decision not be included in this batch, please call 973-648-6008.

OAL Docket No. PUC

Case Name

5371-09

CLAYTON Pierce

1517-09

CARYN B. Gilbert

Board of Public Utilities  
Two Gateway Center  
Newark, New Jersey 07102

Date:

8/26/09

Theresa Lang  
Board of Public Utilities